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Attorneys for Defendants, CITY OF BURBANK,
6 MANUEL MALDONADO, RASHAAD COLEMAN,
NEIL GUNN, DAVID MEJIA,
7 and SAM ANDERSON

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

11 LURING PAIALII,
12 Plaintiff,

13 v.

14 CITY OF BURBANK; MANUEL
MALDONADO; RASHAAD
15 COLEMAN; N. GUNN; D. MEJIA; S.
ANDERSON; and DOES 1 through 10,
16 inclusive,

17 Defendants.

) Case No.: 2:24-cv-08890-CAS-PVC

) Assigned to the Hon. Christina A.
Snyder
) Courtroom 8D, 8th Floor

) **DECLARATION OF RODOLFO
AGUADO III IN SUPPORT OF
DEFENDANTS' MOTION FOR
JUDGMENT ON THE PLEADINGS
[FRCP 12(c)]**

) **[FILED CONCURRENTLY WITH
NOTICE OF MOTION AND
MOTION; REQUEST FOR
JUDICIAL NOTICE; PROPOSED
ORDER]**

) Date: May 5, 2025
) Time: 10:00 a.m.
) Ctrm: 8D

) Complaint Filed: November 5, 2024
) Trial Date: April 7, 2026

DECLARATION OF RODOLFO AGUADO III

I, Rodolfo Aguado III, declare as follows:

1. I am an attorney at law duly licensed to practice in the State of California. I am a Senior Assistant City Attorney in the City Attorney's Office of the City of Burbank and represent Defendants City of Burbank, Manuel Maldonado, Rashaad Coleman, Neil Gunn, David Mejia, and Sam Anderson (collectively "Defendants") in this action. I have personal knowledge of the facts set forth herein. If called as a witness, I could and would competently testify to the matters stated herein.

2. On February 10, 2025, I telephonically met and conferred with Plaintiff's counsel regarding Plaintiff's criminal plea and whether Plaintiff's claims in this lawsuit were precluded by the *Heck* doctrine. At that time, the parties did not reach an agreement to dismiss any of Plaintiff's claims.

3. On March 20, 2025, I again met and conferred telephonically with Plaintiff's counsel and further discussed whether Plaintiff's claims in this lawsuit were precluded by the *Heck* doctrine. Plaintiff's counsel agreed to dismiss Plaintiff's First, Third, and Fourth Causes of Action, but the parties were unable to reach an agreement regarding Plaintiff's remaining claims.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct. Executed on April 9, 2025 at Burbank, California.



Rodolfo Aguado III

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of April, 2025, my office electronically transmitted the foregoing document to the Clerk's office using the Court's CM/ECF System and thereby served all counsel of record in this matter.

By: /s/ Rodolfo Aguado III
Rodolfo Aguado III